IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

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ORDER

Ramswaroop Ozha

vs

State of Rajasthan & Ors.

S.B. CIVL WRIT PETIITON NO.2604/2002 UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA.

DATE OF ORDER : 28th August, 2006

PRESENT

HON'BLE MR.MOHAMMAD RAFIQ,J.

Mr.R.S. Saluja, Advocate, for the petitioners.
Mr.Sangeet Lodha, Advocate for the respondents.

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BY THE COURT: -

In this writ petition, the petitioner has prayed for a direction to the respondents to release his second selection grade w.e.f. 27th March, 1998. As per the averments in the writ

petition, the petitioner was appointed with the respondents corporation on 28th March, 1980. The respondent-corporation adopted and applied the circular of the Government dated 25.1.1992 whereby the benefit of selection grade was confirmed on such employees, who have completed 9, 18 and 27 years of service. It has been stated that even though the petitioner completed 27 years of service on 27th March, 1998, the second selection grade was not granted to him on account of pendency of certain disciplinary proceedings. According to the petitioner, he was finally exonerated of such disciplinary proceedings by order dated 17th July, 2000. He has further asserted that no other disciplinary inquiry is pending agianst him. In this regard, the petitioner made the representation on 16.4.2001, but the respondents have not granted the benefit of second selection grade, hence, this writ petition.

On the other hand, Shri Sangeet Lodha, learned counsel for the respondent submitted that on account of pendency of departmental inquiry against the petitioner,the benefit of second selection grade was not granted to him. Subsequently, when he was exonerated of such inquiry, the respondents have themselves extended the benefit of second selection grade to the petitioner in terms of the provisions contained in circular dated 25.1.1992.

In view of the statement made by Shri Sangeet Lodha, learned counsel for the respondent, nothing survives in this writ petition and the same is therefore dismissed as having become infructuous.

(MOHAMMAD RAFIQ), J.

c.p.goyal/-